

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

**KEVIN FOSTER,**

**Plaintiff,**

**v.**

**E PARTNER NET,**

**Defendant.**

Civ. No. 16-6118 (KM/MAH)

**ORDER**

This matter having been opened to the Court on the plaintiff's motion for a default judgment (ECF no. 6); and the Court having reviewed the motion, and the entire case file, and decided the motion without oral argument;

IT IS this 11<sup>th</sup> day of April, 2017,

ORDERED that the motion for default judgment (ECF no. 6) is DENIED, and that the Complaint is DISMISSED for failure to state a claim.

The dismissal is without prejudice to the filing of an amended complaint within 30 days. Any amended complaint shall be served anew in conformity with Rule 4(e) & (h), Fed R. Civ. P.

The clerk shall close the file.

  
KEVIN MCNULTY, U.S.D.J.